

Interview Summary

Application No.

09/973,251

Applicant(s)

SCIUK, DAVID N.

Examiner

F. Ryan Zeender

Art Unit

3627

All participants (applicant, applicant's representative, PTO personnel):

(1) F. Ryan Zeender.

(3) _____.

(2) Ashley Wells.

(4) _____.

Date of Interview: 24 August 2004.

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal [copy given to: 1) ☐ applicant 2) ☒ applicant's representative]

Exhibit shown or demonstration conducted: d) ☒ Yes e) ☐ No.

If Yes, brief description: Applicant supplied proposed amendment (See attached).

Claim(s) discussed: All pending claims.

Identification of prior art discussed: Durand et al. and Puram et al..

Agreement with respect to the claims f) ☐ was reached. g) ☒ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Applicant indicated a RCE would be filed and therefore the amendment after final would be entered. The attached proposed amendment would be submitted in a preliminary amendment. The proposed amendments being submitted in order to make the pending claims more concise.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

 8/24/04

Examiner's signature, if required

Summary of Record of Interview Requirements

Manual of Patent Examining Procedure (MPEP), Section 713.04, Substance of Interview Must be Made of Record

A complete written statement as to the substance of any face-to-face, video conference, or telephone interview with regard to an application must be made of record in the application whether or not an agreement with the examiner was reached at the interview.

Title 37 Code of Federal Regulations (CFR) § 1.133 Interviews

Paragraph (b)

In every instance where reconsideration is requested in view of an interview with an examiner, a complete written statement of the reasons presented at the interview as warranting favorable action must be filed by the applicant. An interview does not remove the necessity for reply to Office action as specified in §§ 1.111, 1.135. (35 U.S.C. 132)

37 CFR §1.2 Business to be transacted in writing.

All business with the Patent or Trademark Office should be transacted in writing. The personal attendance of applicants or their attorneys or agents at the Patent and Trademark Office is unnecessary. The action of the Patent and Trademark Office will be based exclusively on the written record in the Office. No attention will be paid to any alleged oral promise, stipulation, or understanding in relation to which there is disagreement or doubt.

The action of the Patent and Trademark Office cannot be based exclusively on the written record in the Office if that record is itself incomplete through the failure to record the substance of interviews.

It is the responsibility of the applicant or the attorney or agent to make the substance of an interview of record in the application file, unless the examiner indicates he or she will do so. It is the examiner's responsibility to see that such a record is made and to correct material inaccuracies which bear directly on the question of patentability.

Examiners must complete an Interview Summary Form for each interview held where a matter of substance has been discussed during the interview by checking the appropriate boxes and filling in the blanks. Discussions regarding only procedural matters, directed solely to restriction requirements for which interview recordation is otherwise provided for in Section 812.01 of the Manual of Patent Examining Procedure, or pointing out typographical errors or unreadable script in Office actions or the like, are excluded from the interview recordation procedures below. Where the substance of an interview is completely recorded in an Examiners Amendment, no separate Interview Summary Record is required.

The Interview Summary Form shall be given an appropriate Paper No., placed in the right hand portion of the file, and listed on the "Contents" section of the file wrapper. In a personal interview, a duplicate of the Form is given to the applicant (or attorney or agent) at the conclusion of the interview. In the case of a telephone or video-conference interview, the copy is mailed to the applicant's correspondence address either with or prior to the next official communication. If additional correspondence from the examiner is not likely before an allowance or if other circumstances dictate, the Form should be mailed promptly after the interview rather than with the next official communication.

The Form provides for recordation of the following information:

- Application Number (Series Code and Serial Number)
- Name of applicant
- Name of examiner
- Date of interview
- Type of interview (telephonic, video-conference, or personal)
- Name of participant(s) (applicant, attorney or agent, examiner, other PTO personnel, etc.)
- An indication whether or not an exhibit was shown or a demonstration conducted
- An identification of the specific prior art discussed
- An indication whether an agreement was reached and if so, a description of the general nature of the agreement (may be by attachment of a copy of amendments or claims agreed as being allowable). Note: Agreement as to allowability is tentative and does not restrict further action by the examiner to the contrary.
- The signature of the examiner who conducted the interview (if Form is not an attachment to a signed Office action)

It is desirable that the examiner orally remind the applicant of his or her obligation to record the substance of the interview of each case. It should be noted, however, that the Interview Summary Form will not normally be considered a complete and proper recordation of the interview unless it includes, or is supplemented by the applicant or the examiner to include, all of the applicable items required below concerning the substance of the interview.

A complete and proper recordation of the substance of any interview should include at least the following applicable items:

- 1) A brief description of the nature of any exhibit shown or any demonstration conducted,
- 2) an identification of the claims discussed,
- 3) an identification of the specific prior art discussed,
- 4) an identification of the principal proposed amendments of a substantive nature discussed, unless these are already described on the Interview Summary Form completed by the Examiner,
- 5) a brief identification of the general thrust of the principal arguments presented to the examiner,
(The identification of arguments need not be lengthy or elaborate. A verbatim or highly detailed description of the arguments is not required. The identification of the arguments is sufficient if the general nature or thrust of the principal arguments made to the examiner can be understood in the context of the application file. Of course, the applicant may desire to emphasize and fully describe those arguments which he or she feels were or might be persuasive to the examiner.)
- 6) a general indication of any other pertinent matters discussed, and
- 7) if appropriate, the general results or outcome of the interview unless already described in the Interview Summary Form completed by the examiner.

Examiners are expected to carefully review the applicant's record of the substance of an interview. If the record is not complete and accurate, the examiner will give the applicant an extendable one month time period to correct the record.

Examiner to Check for Accuracy

If the claims are allowable for other reasons of record, the examiner should send a letter setting forth the examiner's version of the statement attributed to him or her. If the record is complete and accurate, the examiner should place the indication, "Interview Record OK" on the paper recording the substance of the interview along with the date and the examiner's initials.

*Proposed
amendments*

Proposed Amendments for discussion during the personal interview between Examiner Ryan Zender and Ashley J. Wells (Reg. No. 29,847) of August 24, 2004 in 09/973,251

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the Application.

LISTING OF THE CLAIMS:

Claims 1-28, 48, 83, and 159 (cancelled).

Claims 29-47, 49-82, 84-99, 140-158, and 160-175 (withdrawn).

Claim 100 (Presently amended): A system wherein a user places ~~[[an-]]~~ at least one order for at least one provider and a degree of matching between each order-provider pairing is computed, the system comprising:

a data storage device to receive and store program code and user information, order information, and including provider information that specifies provider criteria and order information that specifies order criteria for that particular order;

at least one virtual provider that is created by matching provider information of a particular provider with order information of a particular order; and

a knowledge base which is stored in a data storage device which may be said data storage device, which is separate from the user information and separate from the program code, and which contains facts and rules for problem solving including facts and rules for constructing, and which contains information on which to base requests for information by the system to obtain the user information.

Claim 101 (Previously presented): The system of claim 100, wherein the data storage device for the knowledge base is separate from the data storage device which receives and stores user information.

(Claim 102 (Presently amended): The system of claim 100, wherein the requests for information result in the system obtaining at least one of the user information, the order information, the provider information, ~~the order information~~, and refinements of the foregoing.

(Claim 103 (Presently amended): The system of claim 100, wherein the knowledge base contains at least two different categories of facts and rules information including (a) basic ~~(facts and rules) information~~ used by the system to construct initial questionnaires used to obtain input of initial user, order, and provider information; and (b) additional facts and rules correction information used by the system to at least one of (1) construct verification materials for verification of at least one of user and provider information and (2) carry out correction processes of at least one of user and provider information used for corrections when the system determines that verification of user provided information is appropriate.

*Unofficial
(part of Interview)
summary*

Claim 104 (Presently amended): The system of claim 103, wherein the additional facts and rules ~~correction information~~ includes rules by which questions are constructed for use in verification materials ~~including at least questions are selected for verification and correction of previously entered provider, order, and user information.~~

Claim 105 (Presently amended): The system of claim 104, wherein the verification materials are constructed in a real time manner by the system question by question when the system determines that at least one of verification and correction of user-provided information is appropriate.

Claim 106 (Presently amended): The system of claim ~~104~~ [[105]], wherein the verification materials include multiple-choice questions and a plurality of answers to each respective question.

Claim 107 (Presently amended): The system of claim 100, wherein the requests for information comprise at least one of questionnaires, application forms, interview scripts and ~~[[other]]~~ verification tests request. Support p.35, 3rd line from bot.

Claim 108 (Previously presented): The system of claim 100, wherein the requests for information are organized in a plurality of levels so that the response to one or more requests for information in one level generates one or more requests for information in another level.

Claim 109 (Previously presented): The system of claim 108, wherein the requests for information are organized into at least three levels.

Claim 110 (Presently amended): The system of claim 100, wherein the system makes at least one request for information from at least one entity responder, receives at least one response from a respective entity responder, and determines which particular request for information was satisfied without the respective entity responder identifying themselves.

Claim 111 (Presently amended): The system of claim 110, wherein the system includes a plurality of hidden codes to identify the respective entity who is responding responder.

Claim 112 (Previously presented): The system of claim 100, further comprising a knowledge base system that updates the information contained in the knowledge base automatically so that the knowledge base is an adaptive knowledge base.

Claim 113 (Presently amended): The system of claim 112, wherein the knowledge base is automatically updated to provide updates ~~with or without an acceptance decision by a human monitor~~, and wherein the updates may be used as a basis for requesting obtaining additional user information.

Claim 114 (Previously amended): The system of claim 100, further comprising a reporting system that at least one of (a) sends status messages to the user regarding the status of a particular order in the system, and (b) sends status messages to

providers regarding the status of the virtual providers relating to respective providers in the system, wherein the reporting system advises at least one of users and providers when the knowledge base is automatically updated, and wherein at least one of users and providers input additional information into the system in response to the advisories.

Claim 115 (Presently amended): The system of claim 100, further comprising a scoring system ~~for each of the at least one virtual provider~~ that compares the provider information ~~of a particular provider~~ and the order information of one said virtual provider a particular order, and that determines a score for said each respective informational pair for each said at least one virtual provider based upon reflecting the degree of matching between the criteria of the provider information of a particular provider and the order information of a particular order.

Claim 116 (Presently amended): The system of claim 115, wherein the score is computed from a predetermined formula which includes at least one of user-specified criteria, user-specified weighting factors, and user-specified relative importance of said user specified respective criteria.

Claim 117 (Previously presented): The system of claim 115, wherein the scoring system determines scores based in part on degree of clustering of keywords in information provided.

Claim 118 (Presently amended): The system of claim 117, wherein the ~~degree of clustering of keywords in~~ information provided is at least one of (a) user information, (b) order information, and (c) provider information, which information includes provided by at least one of the user, the at least one provider, and a third party and (b) information contained in at least one of a job description, an application, a biography, and a resume submitted by the at least one provider.

Claim 119 (Previously presented): The system of claim 115, wherein the scoring system considers the degree of matching through multiple steps including receiving and inputting user information and optionally requesting the user information.

Claim 120 (Previously presented): The system of claim 115, further comprising a rescoring system that automatically corrects the scores based on correction factors.

Claim 121 (Previously presented): The system of claim 120, wherein the correction factors are derived from at least one of interviewing the provider, objective testing of the provider, and reference checking of the provider's information.

Claim 122 (Previously amended): The system of claim 119, wherein the system further comprises a management system that tracks each virtual provider through the multiple steps; and a sequencing system that specifies contents of each step of the multiple steps.

Claim 123 (Previously presented): The system of claim 122, further comprising a timer that allocates a pre-determined time to complete at least one of the multiple steps.

Claim 124 (Previously presented): The system of claim 123, wherein the system sends an alarm indicating that a predetermined time period has lapsed without requisite action.

Claim 125 (Presently amended): The system of claim 124, wherein the alarm is sent to at least one individual recipient selected from the group consisting of the user, the provider, a third party, and an operator of the system, wherein the alarm is classified as either a warning alarm or an urgent alarm, and wherein the alarm is sent to the at least one individual recipient based on whether the respective at least one individual recipient has access to warning alarms or to urgent alarms.

Claim 126 (Presently amended): The system of claim 122, wherein the contents of each step of the multiple steps at least includes instructions to at least one of (a) the user regarding the input of additional ~~[[user]]~~ information including at least one of (1) user information and (2) order information and (b) the provider regarding the input of additional provider information, and wherein the sequencing system provides default content of a step.

Claim 127 (Previously amended): The system of claim 126, wherein the default content is modified by the user.

Claim 128 (Presently amended): The system of claim 121 ~~[[+22]]~~, further comprising a device to request information which is one of (a) an avatar which is an animated image generated automatically by the system or (b) a simulated interviewer.

Claim 129 (Presently amended): The system of claim 121 ~~[[+22]]~~, further comprising a device to accept verbal input, and wherein information is provided as verbal input and the system converts the verbal input to digital form.

Claim 130 (Previously presented): The system of claim 100, further comprising a device to request information which is one of (a) an avatar which is an animated image generated automatically by the system or (b) a simulated interviewer.

Claim 131 (Previously presented): The system of claim 100, further comprising a device to accept verbal input, and wherein information is provided as verbal input and the system converts the verbal input to digital form.

Claim 132 (Presently amended): The system of claim 100, further comprising a reporting system that at least one of (a) sends status messages to the user regarding the status of a particular order in the system, and (b) sends status messages to providers regarding the status of the virtual providers relating to the respective providers in the system.

Claim 133 (Presently amended): The system of claim 100, further comprising a billing system that bills the user based on at least one of (a) number of providers that have been matched with the orders placed by said user, and (b) number of orders placed during a period of time by ~~from~~ said user, ~~and (c) the number of iterations.~~

Claim 134 (Previously amended): The system of claim 100, wherein the user is a prospective employer and the provider is one of a prospective employee or independent contractor.

Claim 135 (Previously amended): The system of claim 100, wherein the user is a prospective patient and the provider is one of a prospective doctor or dentist.

Claim 136 (Previously amended): The system of claim 100, wherein the user is a human shopper and the provider is a supplier of one of companionship, goods, or services.

Claim 137 (Presently amended): The system of claim 100, wherein the degree of matching between each order-provider pairing is computed without elimination of any order-provider pairings ~~providers to obtain a best fit~~.

Claim 138 (Presently amended): The system of claim 115 ~~[[100]]~~, further comprising a correction system that automatically corrects the scores provided by the scoring system based on correction factors.

Claim 139 (Previously presented): The system of claim 138, wherein the correction factors are derived from at least one of interviewing the provider, objective testing of the provider, and reference checking regarding the provider's information.